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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/705,281

Applicant(s)

HAMMOND, DAN

Examiner

Duc C. Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Continuation of Disposition of Claims: Claims pending in the application are 1-8,9,11,12,15,17,18,21-23,26-28,30-36-38,45,46, 48,49,52-56,60, 65-68,70-73,77-85,87,89-99,100-132.

Continuation of Disposition of Claims: Claims rejected are 1-8,9,11,12,15,17,18,21-23,26-28,30-36-38,45,46, 48,49,52-56,60, 65-68,70-73,77-85,87,89-99,100-132.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 81-85, 87, 89-91 and 126-132 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 126, the following limitations: (1) means for actuating, (2) means for observing, (3) means for providing, (4) means for observing multimedia information, in the claim appears to lack of adequate written description. The same remark applies to claim 81.

### ***Claim Rejections - 35 USC § 112***

2. Claims 37-46, 71-73, 79, 126-132 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 37 recites the limitation "said selective-size segment" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 71-line 11, the language of the claim is confusing as it employs hardware limitation to describe an operational function of a computer program product. Claim 71 recites a computer program product defining an interactive multimedia response application for use on a communication device in the preamble. In other word, the body of the claim should describe software products such as a multimedia display driver. However, line 11 recites "multimedia input interface for processing multimedia input", which appears to be a hardware limitation.

Claim 126 recites the limitation "said interactive voice response session" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 126, lines 7-8, the limitation "means for observing multimedia prompts on said communication device provided by said interactive voice response session" is confusing. The "means" here seems to imply a hardware component to perform a function of observing multimedia prompts. However, it appears to the readers that a user that observes the multimedia prompts not "a hardware component".

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international

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application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-5, 9, 11-12, 15, 17-18, 21-23, 26-28, 30-36, 38, 45, 48-49, 52-56, 60, 67, 68, 70-73, 77-85, 87, 89, 90-96, 100-116, 118-121, and 123-132 are rejected under 35 U.S.C. 102(e) as being anticipated by Kurganov et al. (U.S. 6,721,705), hereinafter referred to as Kurganov.

Regarding claim 1, Kurganov discloses a robust voice browser system and voice activated device controller.

*an application server* ( a media server 106-fig. 1, col.4-line 58 to col.5-line 64)  
*having application logic* ( an IVR application 304-fig. 3, col. 15-line 31 to col. 16-line 21)  
*and information stored thereon* (the information is stored in the database 100-fig. 3, col.4, lines 57-67), *said application logic for defining at least one voice response application* ( the IVR is used for playing audio messages such as: flight status, weather, etc., col. 15, lines 31-45);

*a communication device for establishing at least one connection with said application server* ( a user establishes a connection between his voice enabled device 112 (PDA or the mobile phone) to the media server via the PSTN 118-fig.1, col. 15,

lines 31-45), *wherein said application server communicates said application logic to said communication device responsive to one of said established connections* ( Once the connection established, the server 106 initiates the IVR to play audio message in response to a request of the device 112, col. 15, lines 31-45); *and*

*a processor connected to said communication device to execute said communicated application logic and locally administer said at least one voice response application* (the Personal Data Assistant 112-fig. 1 inherently includes a processor for executing the request and receiving the response from the IVR application 304-fig. 3).

Regarding claims 2, and 94, the web browsing server 102-fig. 1 serves as a data network interface for retrieving information responsive to the request from the PDA 112-fig. 1, see col. 16-line 1 to col. 17-line 23.

Regarding claim 3, Kurganov discloses the Internet 110-fig. 1.

Regarding claims 4, and 95, the PDA 112-fig.1 establishes a connection with a web-browsing server 102-fig. 1 for an up-to-date weather report responsive to the information retrieved by the media server. The web server 102 is capable of having an application logic such as software module to provide response and prompts for execution from the voice enabled device 112-fig.1, see col. 15-line 31 to col. 16-line 21.

Regarding claims 5, and 96, the media server 106 should have a translation logic for converting the retrieved information and applications from HTML, or XML format into a format compatible with the IVR, see the media server, see col. 17-line 21 to col. 8-67.

Regarding claims 9, and 100, a user interface such as a display enables the user of the voice enabled-device 112-fig. 1 accepts the input by pressing a key for answering with "Y" or "N".

Regarding claims 11, and 101, the processor of the voice enabled-device PDA 112-fig. 1 is capable of processing the user input internally such as prompting a "yes" or "no" answer according to the response from the voice response application.

Regarding claims 12, and 102, the media server 106-fig. 1 contains a speech recognition software engine 300-fig. 3, see col. 4, lines 44-47.

Regarding claim 15, the speech recognition function is inherently disposed permanently within voice enabled-device 112-fig. 1.

Regarding claims 17, and 103, the media server 106-fig. 1 includes a speech recognition engine 300-fig. 3 for receiving voice packets from the voice enabled-device 112-fig. 1.

Regarding claims 18, and 104, the voice enabled-device 112-fig. 1 inherently includes an audio transducer for playing messages such as greeting messages for the user, and a display for presenting visual information such as rain or sunny weather in accordance to the voice response application.

Regarding claims 21, and 105, the user of the voice enabled device 504-fig. 5 selects preference information such as stock quotes or flight status, wherein the information is responsive by the IVR's application.



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Regarding claim 22, up-to-date weather information is capable of being download via the web browser 102-fig. 1 to the voice enabled-device 112-fig. 1 via the IVR's application 304-fig. 3.

Regarding claim 23, if the up-to-date weather information is not downloadable, the weather forecast can be obtained from the media server 106-fig. 1.

Regarding claims 26, and 106, the voice enabled-device 112-fig. 1 initiates the media server 106 via a voice connection, and capable of receiving information over a data connection.

Regarding claims 27, and 107, in Kurganov the voice connection comprises a PSTN 118-fig. 1 and the data connection via a packet switched network 110-fig. 1.

Regarding claims 28, and 108, the voice enabled-device 112-fig. 1 is capable of communicating with the media server 106-fig. 1 using both voice and the Internet.

Regarding claims 30, and 109, the IVR 334-fig. 3 is capable of using the XML, see col. 17, lines 21-27.

Regarding claim 53, Kurganov discloses a robust voice browser system and voice activated device controller.

*a central server (a media server 510-fig.5, col.17-line 28 to col.19-line 21) in communication with a data network (the Internet 502-fig.5);*

*extensible application code disposed on said central server, said code defining an interactive voice response application (an up-to-date extended forecast subcategory from web sites can be downloaded to the media server 510-fig. 5 in XML format, col. 17,*

lines 5-27. The XML format defines an interactive voice response application to a voice enabled-device 504, fig.5);

*memory disposed on said communication device for storing a copy of said extensible application code , wherein said communication device downloads said copy from said central server using said data network (the voice enabled-device 504-fig.5 inherently includes memory for storing weather information downloaded in XML format, wherein the weather information is downloaded from the media server 510 using the Internet 502-fig. 5. See also fig. 1, col. 15-line 30 to col. 17-line 27); and*

*a processor disposed on said communication device for running said copy of said extensible application code and administering said interactive voice application substantially independent from said central server (the voice enabled-device PDA 504-fig. 5 inherently includes a processor for running the downloaded weather information, and the voice enabled-device is capable of interacting with the IVR application 304-fig. 3 independently).*

Regarding claim 31, Kurganov discloses a robust voice browser system and voice activated device controller.

*establishing an initial connection between said communication unit and a multimedia server (a user establishes a connection between his voice enabled device 504-fig.5 (PDA or the mobile phone) to a media server 510-fig.5);*

*transmitting software code defining said interactive voice response application to said communication unit (an up-to-date extended forecast, for example in XML, or HTML format from web sites can be downloaded to the media server 510-fig.1 via the*

web server 506-fig.5 for interactive voice response application to the voice enabled-device 504-fig.5, see col. 17, lines 5-27. The files download in XML format defines and IVR application to the voice enabled-device 504-fig.1);

*executing said software code on said communication unit to run said interactive voice response application* (the voice enabled-device PDA 504-fig.5 is able to execute the file in XML format from the IVR 304-fig. 3); *and*

*providing information to said user responsive to request made pursuant to said interactive voice response application* (the up-to-date extended forecast is finally provided to the user of the voice enabled device 504-fig.5 according to request to the IVR 304-fig.3).

Regarding claims 32, and 54, the IVR application 304-fig. 3 is capable of retrieving information from the media server 510-fig. 5 responsive to the requests from the voice enabled-device 504-fig. 5.

Regarding claims 33, and 55, the retrieving information downloaded in XML format via the Internet from the web-browsing server 506 to the media server 510-fig. 5 is responsive to the voice enabled-device, the responsive information presented is in XML software code.

Regarding claims 34, and 56, the voice enabled-device 504-fig. 5 retrieves the responsive information via communication with the media server 510-fig. 5.

Regarding claim 35, the media server 510-fig. 5 obtains the responsive information from the database 508 and the data network 502-fig. 5.

Regarding claim 36, the media server 510 is capable of converting the responsive information in a format compatible with the IVR application 304-fig. 3.

Regarding claim 38, the voice enabled device 504-fig. 5 inherently includes a processor and an audio transducer for processing received speech command from the user in response to the voice messages played by the IVR application 304-fig. 3.

Regarding claim 45, the voice enabled-device 504-fig. 5 is capable of reestablishing subsequent connection to the media server 510 after finished retrieving the information.

Regarding claim 48, the initial connection between the voice enabled device and the media server 510-fig. 5 is established via a PSTN 512 network, and the transmission of XML data is implemented via the 502-fig. 5 data network.

Regarding claims 49, and 68, the system of Kurganov is capable of establishing a communication between a voice enabled device and an operator, for example an operator of a desired hotel, as a result of the request made by the user with the IVR application 304-fig. 3.

Regarding claims 52, and 70, in Kurganov the communication is established using a combination of PSTN and data network.

Regarding claim 60, the voice enabled-device is able to process voice input from the user.

Regarding claim 67, the voice enabled-device 504-fig. 5 is capable of downloading an up-to-date weather information by communicating with the media server 510-fig. 5 using the PSTN 512-fig. 5.

Regarding claim 71, Kurganov discloses a robust voice browser system and voice activated device controller.

*at least one function for operation of said interactive multimedia response application on the communication device corresponding to a predefined set of at least one of desired application feature* ( the media server 106-fig. 1 inherently includes a computer program for operation with an interactive multimedia response application of the IVR application 304-fig. 3 corresponding to a desired application selected from the voice enabled-device);

*a multimedia display driver for processing multimedia information for presentation to a user* (the media server 106-fig.1 inherently includes a multimedia display driver for processing presentation to the display of the voice enabled-device 112-fig.1);

*application logic for providing multimedia information to said multimedia display driver for presenting user prompts according to operation of said at least one function* (the media server 106-fig. 1 includes an IVR application 304-fig. 3 for providing multimedia information to the multimedia display driver for presenting the user prompts according to the desired application);

*and multimedia input interface for processing multimedia input* (the media server 106-fig.1 should include computer program corresponding to the multimedia input interface for processing multimedia input)

Regarding claim 72, the media server 510-fig. 5 inherently includes software modules such as an audio media player for presenting audio files to the user, and a

graphic driver for presenting visual information to the display of the voice enabled-device 112-fig. 1.

Regarding claim 73, the media server 106-fig. 1 includes a speech synthesis engine 302-fig. 3 for converting text information to speech for presentation to the user.

Regarding claim 77, this claim has similar limitations as claim 31. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 31.

Regarding claim 78, the media server 510-fig.5 is capable of retrieving information responsive to the IVR application 304-fig. 3.

Regarding claim 79, the voice enabled-device 504-fig. 5 is capable of retrieving information stored from the internal memory of the IVR 304-fig. 3, or from the database 508-fig. 5, which is external to the voice enabled device 504-fig.5.

Regarding claim 80, the connection between the voice enabled device 504-fig. 5 and the media server 510-fig. 5 comprises a data socket connection.

Regarding claim 81, Kurganov discloses a robust voice browser system and voice activated device controller.

*actuating said communication device (the PDA 112-fig.1) to initiate an interactive voice response session, wherein said interactive voice response sessions is defined by application logic on said communication device (the voice enabled-device PDA 112-fig. 1 inherently includes a processor for establishing a connection with a media server 106-fig. 1, which in turn initiating a IVR application 304-fig. 3, wherein the IVR application is defined by playing audio messages, or presenting the messages in text in response to the user's selected options, see col. 15-line 31 to col. 16-line 22);*

*receiving application logic into said communication device to locally administer said interactive voice response session* (the voice enabled device 112-fig. 1 receives the messages in text or in audio, including prompts for selecting of desired options from the IVR 304-fig. 3);

*observing multimedia prompts on said communication device by said interactive voice response session* (the voice enabled-device PDA 112-fig. 1 includes a display enabling a user to observe prompts for options from the IVR 304-fig. 3, see col. 15, lines 46-67);

*providing said interactive voice response session multimedia input responsive to said observed multimedia prompts, wherein said multimedia input is processed by said communication device* (the voice enabled-device 112-fig.1 is provided with input responses from the IVR 304-fig. 3 when the user's input has been processed at the device 112-fig. 1); and

*observing multimedia information on said communication device provided by said interactive voice response session responsive to said processed multimedia input* (the voice enabled-device 112-fig. 1 includes a display enabling the user to observe the responses from the IVR 304-fig. 3 to the user, see col. 15, lines 46-67).

Regarding claim 82, the voice enabled device PDA 504-fig. 5 inherently includes a processor for processing the audio information to be outputted to the built-in speakers in accordance with the prompts selected by the user in the visual display.

Regarding claim 83, in Kurganov the multimedia prompt may comprise a visual information regarding a stock symbol, and audio segments presenting the stock profile of the display stock symbol.

Regarding claim 84, the multimedia input is capable of being chosen from a group comprising speech, DTMF signals, and text.

Regarding claim 85, the multimedia information uses the audio transducer mechanism, and the visual information uses the display of the voice enabled device 112-fig.1.

Regarding claim 87, the voice enabled-device is capable of retrieving information from the IVR application 304-fig. 3 responsive from the entered input.

Regarding claim 89, the voice enabled-device 112-fig.1 retrieves additional information from the database 100-fig.1 when the IVR's memory does not store that particular information.

Regarding claim 90, the voice enabled-device 112-fig.1 is capable of storing multimedia information such as the weather information being released one week in advance in its memory so that the device remains independent to the IVR 304-fig. 3.

Regarding claim 91, the IVR 304-fig.3 is capable of transmitting multimedia information to another device such as a second unit 112-fig. 1.

Regarding claim 92, this claim has similar limitations as claim 1. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 1.



Regarding claim 93, the media server 106-fig. 1 communicates the IVR application 304-fig. 3 responsive to an established connection to the voice enabled device 112-fig.1.

Regarding claim 110, this claim has similar limitations as claim 31. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 31.

Regarding claim 111, the media server 510-fig. 5 is capable of transmitting the data in XML format into a compatible format for the IVR application 304-fig. 3 for communication to the voice enabled device 504-fig. 5.

Regarding claim 112, the media server 510-fig. 5 is capable of retrieving information responsive to the request from the voice enabled-device 504-fig. 5.

Regarding claims 113-114, the voice enabled-device 504-fig. 5 is capable of retrieving information from the downloaded from the media server 510-fig. 5 after the initial connection is made.

Regarding claim 115, the media server 510-fig. 5 obtains the responsive information from a data base 508-fig. 5 and a data network 502.

Regarding claim 116, the media server 510-fig. 5 is capable of converting the downloaded information from XML format to a format compatible with the IVR application.

Regarding claim 118, this claim has similar limitations as claim 38. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 38.

Regarding claims 119-120, the voice enabled-device 504-fig. 5 inherently includes a processor and an audio transducer for processing the voice input from the user.

Regarding claim 121, this claim has similar limitations as claim 45. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 45.

Regarding claim 123, this claim has similar limitations as claim 48. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 48.

Regarding claim 124, this claim has similar limitations as claim 49. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 49.

Regarding claim 125, this claim has similar limitations as claim 52. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 52.

Regarding claim 126, Kurganov discloses a robust voice browser system and voice activated device controller.

*means for actuating said communication device (the PDA 112-fig.1) to initiate an interactive voice response session, wherein said interactive voice response sessions is defined by application logic on said communication device (the voice enabled-device PDA 112-fig. 1 inherently includes a processor for establishing a connection with a media server 106-fig. 1, which in turn initiating a IVR application 304-fig. 3, wherein the IVR application is defined by playing audio messages, or presenting the messages in text in response to the user's selected options, see col. 15-line 31 to col. 16-line 22);*

*means for observing multimedia prompts on said communication device by said interactive voice response session (the voice enabled-device PDA 112-fig. 1 includes a*

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display enabling a user to observe prompts for options from the IVR 304-fig. 3, see col. 15, lines 46-67);

*means for providing said interactive voice response session multimedia input responsive to said observed multimedia prompts, wherein said multimedia input is processed by said communication device (the voice enabled-device 112-fig.1 is provided with input responses from the IVR 304-fig. 3 when the user's input has been processed at the device 112-fig. 1); and*

*means for observing multimedia information on said communication device provided by said interactive voice response session responsive to said processed multimedia input (the voice enabled-device 112-fig. 1 includes a display enabling the user to observe the responses from the IVR 304-fig. 3 to the user, see col. 15, lines 46-67).*

Regarding claim 127, the voice enabled device PDA 504-fig. 5 inherently includes a processor for processing the text information transmitted from the IVR and built-in speakers for playing audio messages.

Regarding claim 128, this claim has similar limitations as claim 82. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 82.

Regarding claim 129, this claim has similar limitations as claim 83. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 83.

Regarding claim 130, this claim has similar limitations as claim 87. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 87.

Regarding claim 131, this claim has similar limitations as claim 90. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 90.

Regarding claim 132, this claim has similar limitations as claim 91. Therefore, it is rejected under Kurganov for the same reasons set forth in the rejection of claim 91.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6-8, 37, 46, 65-66, 97-99, 117, 122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurganov, in view of Finch, II et al. (US 6,753,884), hereinafter referred to as Finch.

Regarding claim 6, Kurganov discloses all claimed limitation, except the application server divides the at least voice response application into one or more selectively-sized, executable sub-modules, wherein a size is selected responsive to memory limitations of the communication device.

Finch discloses method and apparatus for wireless web time and expense entry via time keeping and expense tracking server access. The TKET server 102-fig. 1 is capable of transmitting customized modules of GUI screen display into one or more GUI screen display to meet the user's terminal memory capacity of either a PDA, a laptop, mobile phone, etc, see col. 7-line 52 to col. 9-line 60. Further, a user is also given an

option to select either FULL or REDUCED relating to the capacity of the user display terminal.

One skill in the art would recognize the advantage of using a mechanism in which customized modules of GUI screen display is created to meet the memory capacity of a variety of receiving devices as taught by Finch.

It would have been obvious to one of ordinary skill in the art, at the time invention was made, to employ a mechanism forming one or more of customized modules GUI screen display into the system of Kurganov such that the media server would be able to transmit data which meets the memory capacity of the voice enabled devices, and thus preventing the loss of data when a large amount of data to be transmitted exceeds the receiving device's display capacity.

Regarding claim 7, please see the rejection of claim 6. The voice enabled-device 112-fig.1 of Kurganov is able to obtain one or more modules of Finch's GUI screen display for displaying the information.

Regarding claim 8, please see the rejection of claim 6. The voice enabled-device 112-fig.1 of Kurganov is capable of obtaining another module of GUI screen display of Finch when the first module has been executed.

Regarding claims 37, and 65, these claims have similar limitations as claim 6. Therefore, it is rejected under Kurganov-Finch for the same reasons set forth in the rejection of claim 6.

Regarding claims 46, and 66, these claims have similar limitations as claim 7. Therefore, it is rejected under Kurganov-Finch for the same reasons set forth in the rejection of claim 7.

Regarding claims 97-99, these claims have similar limitations as claims 6-8. Therefore, it is rejected under Kurganov-Finch for the same reasons set forth in the rejection of claims 6-8, respectively.

Regarding claim 117, the claim has similar limitations as claim 37. Therefore, it is rejected under Kurganov-Finch for the same reasons set forth in the rejection of claim 37.

Regarding claim 122, the claim has similar limitations as claim 46. Therefore, it is rejected under Kurganov-Finch for the same reasons set forth in the rejection of claim 46.

### ***Response to Arguments***

8. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3155. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-3147.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

  
Duc Ho

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